



1748
EFW

HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450, ON THE DATE INDICATED BELOW.

BY: *Donna Marks*

DATE: *7/21/04*

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Patent Application of	:
	Toshitada Sato et al.	:
		:
Conf. No.:	2946	: Examiner: Gregg Cantelmo
		:
Appln. No.:	10/088,398	: Group Art Unit: 1745
Filed:	March 18, 2002	:
		:
Patent No.	6,761,998 B2	: Allowed: April 1, 2004
Issued:	July 13, 2004	:
		:
For:	NON-AQUEOUS ELECTROLYTE	: Attorney Docket
	SECONDARY BATTERY	: No. 10059-412 (P26090-01)

TRANSMITTAL LETTER

Although it is the Patentees' opinion that the claims filed by way of amendment are substantially embraced in the statement of invention or in the claims originally filed, Patentees herewith file a Supplemental Declaration for precautionary purposes under 37 CFR 1.67.

Respectfully submitted,

July 21, 2004
(Date)

By:

William W. Schwarze
WILLIAM W. SCHWARZE

Registration No. 25,918

AKIN, GUMP, STRAUSS, HAUER & FELD, L.L.P.

One Commerce Square

2005 Market Street, Suite 2200

Philadelphia, PA 19103

Telephone: (215) 965-1200

Direct Dial: (215) 965-1270

Facsimile: (215) 965-1210

E-Mail: wschwarze@akingump.com

WWS/DCM

Enclosure